

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

MICHAEL RANDALL,

Plaintiff,

v.

INTEGRATED COMMUNICATION  
SERVICE INC,

Defendant.

CASE NO. 3:20-cv-05438-DGE

ORDER GRANTING IN PART  
MOTION FOR ATTORNEYS'  
FEES, COSTS, AND SERVICE  
AWARD (DKT. NO. 126)

Upon consideration of Plaintiffs' motion for approval of attorneys' fees and costs and service awards (Dkt. No. 126), the Court GRANTS Plaintiffs' motion and ORDERS as follows:


1. Notice to the Class, including information regarding the requested award of attorneys' fees and costs, was directed to Class Members in a reasonable manner, and complied with Rule 23(h)(1) of the Federal Rules of Civil Procedure. (*See* Dkt. Nos. 130, 131, 132.)
2. Class Members have been given the opportunity to object in compliance with Federal Rule of Civil Procedure 23(h)(2).

- 1 3. No Class Member has objected to the requested fees and expenses and service awards.  
2 (Dkt. No. 132 at 4.)
- 3 4. Class Counsel also seek reimbursement of actual out-of-pocket costs of \$28,226.11,  
4 which are documented in the declarations of Class Counsel. (Dkt. No. 121 at 26–27.)
- 5 5. Plaintiffs’ fee request of \$733,333.33 represents one-third (1/3) of the Gross Settlement  
6 Amount, which is reasonable under both applicable law, and in light of the contingent  
7 risk, factual and legal risks, the complex and protracted nature of the case, and strong  
8 result for the Class.
- 9 6. Class Counsel are entitled to recover the out-of-pocket costs and litigation expenses they  
10 reasonably incurred in investigating, prosecuting, and settling this case. The Court finds  
11 that Class Counsel’s out-of-pocket costs and expenses of \$28,226.11 are documented,  
12 and reasonable and necessary to the prosecution of this action, in light of the protracted  
13 nature of the case, the vigorousness of Defendants’ legal defense, the motion practice,  
14 amount of documentary evidence, the mediation and arms’-length negotiations necessary  
15 to achieve the settlement.
- 16 7. The Court FINALLY APPROVES Class Counsel’s request for attorneys’ fees in the  
17 amount of one-third of the Gross Settlement Amount, for a total of \$733,333.33, pursuant  
18 to the terms of the Class and Collective Action Settlement Agreement that the Court has  
19 preliminarily approved. However, any costs incurred in distributing the supplemental  
20 notice (Dkt. No. 131 at 3) shall be deducted from Class Counsel’s attorneys’ fees and not  
21 from the Gross Settlement Amount.
- 22 8. The Court FINALLY APPROVES Class Counsel’s request for actual out-of-pocket costs  
23 in the amount of \$28,226.11.

1 9. The Court further finds that the requested service awards are fair and reasonable for the  
2 service Plaintiffs Michael Randall and Allen Finney provided to the Classes and  
3 Collective and the broader release they executed than the Class and Collective Members.

4 10. The Court FINALLY APPROVES the payment of Service Awards to Plaintiffs Michael  
5 Randall and Allen Finney in the amount of \$15,000 each.

6 Dated this 29th day of March 2024.

7   
8 \_\_\_\_\_  
9 David G. Estudillo  
10 United States District Judge  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24